

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

INTERNATIONAL BUSINESS MACHINES CORPORATION,)	
)	
Plaintiff,)	C.A. No. 22-590-GBW
)	
v.)	JURY TRIAL DEMANDED
)	
ZYNGA INC., and CHARTBOOST, INC.,)	
)	
Defendants.)	

**STIPULATION TO AMEND SCHEDULING ORDER
AND REGARDING DEPOSITIONS**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto and subject to the approval of the Court, that:

1. The following deadlines in the Amended Scheduling Order (D.I. 89) are extended as follows:

Event	Current Deadline	Modified Deadline
Defendants Provide Final Invalidity Contentions	December 12, 2023	No Change
Close of Fact Discovery	December 19, 2023	January 12, 2024
Plaintiff Performs First Narrowing of Asserted Claims	December 27, 2023	January 19, 2024
Defendants Perform First Narrowing of Invalidity References	January 9, 2024	January 26, 2024
Initial FRCP 26(a)(2) Disclosure of Expert Testimony	January 12, 2024	February 2, 2024
Last Day For Supplemental Disclosure of Expert Testimony to Contradict or Rebut Evidence on the Same Matter Identified By Another Party	February 8, 2024	March 1, 2024
Plaintiff Performs Second Narrowing of Asserted Claims	February 29, 2024	March 12, 2024

Reply Expert Reports From the Party with the Initial Burden of Proof	February 29, 2024	March 19, 2024
Defendants Perform Second Narrowing of Invalidity References	March 7, 2024	March 19, 2024
Close of Expert Discovery	March 14, 2024	March 29, 2024
Opening Case Dispositive and Daubert Motions	March 21, 2024	April 5, 2024
Responses to Case Dispositive and Daubert Motions	April 11, 2024	April 22, 2024
Replies to Case Dispositive and Daubert Motions	April 25, 2024	April 29, 2024

All other deadlines set forth in the Amended Scheduling Order shall remain the same.

2. The parties shall not notice any additional depositions, or serve any additional deposition subpoenas, absent good cause (such as the need to authenticate third-party documents or in view of newly discovered information), except for:
 - a. Defendants may serve deposition subpoenas on Paula Vancini and Marilyn McSweeney.
 - b. The parties may serve Rule 30(b)(1) deposition notices seeking the deposition of any individual that another party designates to testify in response to a Rule 30(b)(6) notice. Any such notices will be served prior to the Rule 30(b)(6) deposition of those individuals, and the Rule 30(b)(1) deposition will take place on the same day as the Rule 30(b)(6) deposition.
3. Each side may take up to 100 hours of fact deposition testimony. The parties will meet and confer in good faith concerning whether modifications to this limit are necessary when the stay is lifted as to IBM's claims of infringement for the '346 Patent.

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Dated: December 5, 2023
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*Attorneys for Defendants Zynga Inc. and
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IT IS SO ORDERED this ____ day of _____, 2023.

The Honorable Gregory B. Williams
United States District Judge